

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE: WORLD TRADE CENTER  
LOWER MANHATTAN DISASTER SITE LITIGATION

21MC103 (AKH)

**STIPULATION OF  
DISCONTINUANCE AND  
ORDER OF DISMISSAL  
AS TO ABSCOPE  
ENVIRONMENTAL INC.**

This order relates to:

**Cases listed in Exhibit A**

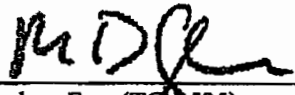
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**IT IS HEREBY STIPULATED, CONSENTED AND AGREED**, by and between the undersigned, the attorneys of record for the parties to the above-titled action, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued without prejudice as against defendant ABSCOPE ENVIRONMENTAL INC. only, without costs to either party as against the other.

**IT IS FURTHER STIPULATED AND AGREED**, that should evidence be discovered throughout the course of the litigation which determines that ABSCOPE ENVIRONMENTAL INC. is a proper party to this suit, plaintiff may reinstitute the action without regard to the applicable statute of limitations, assuming said original action was timely commenced, and in such instance these defendants shall not assert the statute of limitations as a defense.

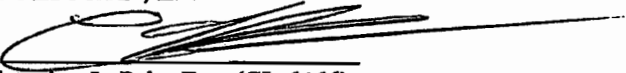
This stipulation may be filed without further notice with the Clerk of the Court.

Dated: Brooklyn, New York  
November 23, 2009

**McMAHON, MARTINE & GALLAGHER  
LLP**

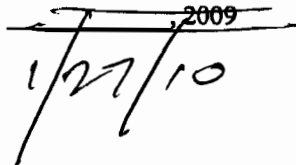
BY:   
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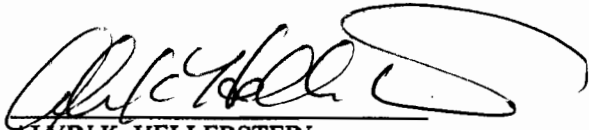
**WORBY GRONER EDELMAN &  
NAPOLI BERN, LLP**

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SO ORDERED.

Dated: New York, New York

  
1/27/10  
2009

  
ALVIN K. HELLERSTEIN  
United States District Judge

# **EXHIBIT A**

D'Alliegro, Patrick	04CV08817	21 MC 103
Popo, David	05CV01078	21 MC 103
Leary, Annette	05CV01118	21 MC 103
Mendez, Edgar and Jenny Patricia	05CV01180	21 MC 103
Lovergine, Steve and Christine Lovergine	05CV01251	21 MC 103
Silva, Antonio and Lupe C. Silva	05CV01260	21 MC 103
Pasqua, Paul	05CV01268	21 MC 103
Steinbrecher, Florence	05CV01520	21 MC 103
Gullo, Richard and Donna-Marie Gullo	05CV01568	21 MC 103
Hovell, Richard and Beverly Hovell	05CV01645	21 MC 103
Mancini, Ron and Elisabeth Mancini	05CV01668	21 MC 103
Volpe, Peter and Adrianna Volpe	05CV01679	21 MC 103
Prescod, Bruce and Yvonne Prescod	05CV01681	21 MC 103
Castillo, Silvia and Segundo Siguencia	05CV01718	21 MC 103
Bruno, Thomas and Julie Bruno	05CV01747	21 MC 103
Rotondi, Anthony and Nicoletta Rotondi	05CV01755	21 MC 103
Sumba, Samuel and Mercedes Sumba	05CV01783	21 MC 103
Ziegelmeier, Jennifer, as Adm. of William Ziegelmeier	05CV04217	21 MC 103
Ballerini, Richard and Ann Ballerini	05CV06460	21 MC 103
Martucci, Anthony	05CV09957	21 MC 103
Alvarez, Maria E. and Carlos Chavarriage	05CV10135	21 MC 103
Agostini, Emmanuel	05CV10391	21 MC 103
Encalada, Jorge	05CV10737	21 MC 103
Vivar, Rosa and Wilson Vivar	06CV00997	21 MC 103
Bugge, Kenny and Donna Bugge	06CV01099	21 MC 103
Calero, Ivan and Reyna Calero	06CV01650	21 MC 103
Carlisi, Michael and Tara Carlisi	06CV02819	21 MC 103
Thomas, Kevin and Sherilla Thomas	06CV04381	21 MC 103
Cintron, Yolanda	06CV05631	21 MC 103
Sarmiento, Maydi	06CV06521	21 MC 103
Marchese, Salvatore	06CV06716	21 MC 103
Finnerty, Tom and Jill Finnerty	06CV06770	21 MC 103
O'Neal, Alexander and Maureen O'Neal	06CV06798	21 MC 103
Bailey, Jason	06CV07346	21 MC 103
Dolan, Patrick	06CV07398	21 MC 103
Madden, Thomas	06CV07468	21 MC 103
McNulty, William and Karen McNulty	06CV07490	21 MC 103
Michalopoulos, Damon and Frances Michalopoulos	06CV07495	21 MC 103
Whittle, Frank and Lynne Whittle	06CV07576	21 MC 103
Lech, Leszek and Genowefa Lech	06CV07911	21 MC 103
Luna, Rolando	06CV07912	21 MC 103
Lanfrit, Karl B. and Christina Lanfrit	06CV07919	21 MC 103
Bedell, Scott	06CV07941	21 MC 103
Martin, Craig	06CV08035	21 MC 103
Wragg, Clarence and Cecilia Wragg	06CV08125	21 MC 103
Dias, Fernando and Sandra Dias	06CV08223	21 MC 103
Corr, Howard and Marianne Corr	06CV08360	21 MC 103
Davis, Jimmie and Ella Davis	06CV08374	21 MC 103
Liguori, Jerry and Rita Liguori	06CV08447	21 MC 103
Ryan, Thomas and Marie Ryan	06CV08529	21 MC 103
Salamone, Vincenzo A. and Mary Salamone	06CV08530	21 MC 103
Simes, Larry and Kim L. Simes	06CV08541	21 MC 103
Voss, Jason	06CV08701	21 MC 103

Contessa, David and Laurie Contessa	06CV08751	21 MC 103
Dyer, Carl and Paulette Dyer	06CV08764	21 MC 103
LaSala, Nick and Laura LaSala	06CV08797	21 MC 103
Reen, Denis	06CV08854	21 MC 103
Balaguer, Hector	06CV08995	21 MC 103
Dowling, John J. and Lucia Dowling	06CV09038	21 MC 103
Vales, Vincent and Jenny Vales	06CV09236	21 MC 103
Vitiello, Andrew and Sylvia D. Vitiello	06CV09244	21 MC 103
Bocchichio, Frank and Marianne Bocchichio	06CV09270	21 MC 103
Easterling, Willie (deceased, Tyshan J. Grier, personal representative)	06CV09542	21 MC 103
Regula, Lawrence and Diana Regula	06CV09679	21 MC 103
Vaccarella, John	06CV09737	21 MC 103
Theiss, Eric and Frances Schwab Theiss	06CV09871	21 MC 103
Antiaris, John	06CV09964	21 MC 103
Ledesma, Horacio	06CV10044	21 MC 103
Lenis, Carlos and Lucia Lenis	06CV10045	21 MC 103
Stevens, Jake and Ruby Stevens	06CV10095	21 MC 103
Austin, Daniel C. and Elena Austin	06CV10542	21 MC 103
Shanahan, Ken and Pattie Shanahan	06CV10636	21 MC 103
Paternostro, Michael and Linda Paternostro	06CV10669	21 MC 103
Power, Michael and Marianne Power	06CV10855	21 MC 103
Schmidt, Robert and Eileen Schmidt	06CV10878	21 MC 103
Ragnetti, James	06CV11247	21 MC 103
Valdilezo-Nieto, Aida	06CV11534	21 MC 103
Dipalo, John and Jane Dipalo	06CV11552	21 MC 103
Shingles, Ulysses	06CV11585	21 MC 103
Andrusyshyn, George and Diana Andrusyshyn	06CV11622	21 MC 103
Cullimore, Andrew and Stephanie Cullimore	06CV11651	21 MC 103
Dominguez, David and Catherine Dominguez	06CV11656	21 MC 103
Jones, James	06CV11700	21 MC 103
Mahoney, Robert and Frances J. Mahoney	06CV11709	21 MC 103
Feliu, Marcial A.	06CV11784	21 MC 103
Morgan, Lawrence and Linda G. Morgan	06CV11824	21 MC 103
O'Neal, Michael and Jennifer O'Neal	06CV11828	21 MC 103
Sinerco, George and Theresa Sinerco	06CV11843	21 MC 103
Ferraro, Kenneth and Carol Ferraro	06CV12062	21 MC 103
Fiumano, Joseph	06CV12065	21 MC 103
Frazier, Nathaniel	06CV12074	21 MC 103
Geneus, Manes	06CV12091	21 MC 103
Herrera, J. Leonardo	06CV12139	21 MC 103
Loja, Jose and Livia Maria Durazno	06CV12219	21 MC 103
Lynch, Thomas and Charlotte Lynch	06CV12227	21 MC 103
Niskanen, David	06CV12377	21 MC 103
Santos, David and Ivelisse Santos	06CV12492	21 MC 103
Walsh, Kevin	06CV12608	21 MC 103
Wibrew, Robert	06CV12618	21 MC 103
Granata, Joseph and Julieann Granata	06CV12688	21 MC 103
Chiarello, Nick and Geraldino C. Chiarello	06CV12720	21 MC 103
Delorbe, Luciano	06CV12731	21 MC 103
Dimino, Anthony and Joan Dimino	06CV12736	21 MC 103
Greco, Chris	06CV12752	21 MC 103
Lagner, Troy and Kate Molloy	06CV12770	21 MC 103
Lopez, Wilfredo and Hilda G. Lopez	06CV12777	21 MC 103
Ruggiero, Eddie and Gina Ruggiero	06CV12813	21 MC 103



Sarra, Antonio and Antoinette Sarra	06CV12816	21 MC 103
Arruda, Betsy	06CV13787	21 MC 103
Cantres, William and Susan Cantres	06CV13821	21 MC 103
Harmon, Chris and Maria Harmon	06CV13938	21 MC 103
McKenna, Brian and Linda McKenna	06CV14032	21 MC 103
Pangallo, Frank	06CV14071	21 MC 103
Rehorn, Andrew and Kathryn Alexis-Rehorn	06CV14084	21 MC 103
Banda, Ivan and Martha Reinoso	06CV14483	21 MC 103
Banda, Nestor and Georgina Banda	06CV14484	21 MC 103
DeLuca, Joseph and Elizabeth DeLuca	06CV14596	21 MC 103
Eramo, Joseph and Diane Eramo	06CV14632	21 MC 103
Fallon, William P. and Laura Fallon	06CV14636	21 MC 103
Garcia, Viviana	06CV14671	21 MC 103
Jaramillo, Jonas and Blanca Jaramillo	06CV14746	21 MC 103
Letz, Alan and Julia Letz	06CV14793	21 MC 103
Lopez, Oswaldo and Elvia V. Lopez	06CV14807	21 MC 103
Moreno, Sandra	06CV14901	21 MC 103
Moretti, John and Karen Moretti	06CV14904	21 MC 103
Pigott, John and Mabel Pigott	06CV14970	21 MC 103
Reems, Eugene and Erin Reems	06CV14993	21 MC 103
Rieger, Eric and Laura Rieger	06CV15003	21 MC 103
Rizzi, Patrizio and Karen Rizzi	06CV15006	21 MC 103
Ross, Richard and Ann Ross	06CV15022	21 MC 103
Ruggiero, James	06CV15025	21 MC 103
Weeks, Ronald	06CV15135	21 MC 103
Yarczower, Dennis and Sandy Yarczower	06CV15149	21 MC 103
Jiminez, Jose and Isabel Jiminez	07CV00064	21 MC 103
Mogg, Bruce and Rosa Mogg	07CV00785	21 MC 103
Astudillo, Freddy	07CV01463	21 MC 103
Cobos, Angel	07CV01483	21 MC 103
Dolce, Frank and Jayne C. Dolce	07CV01491	21 MC 103
Encalada, Marco and Blanca Encalada	07CV01494	21 MC 103
Garces, Segundo	07CV01498	21 MC 103
Riera, Carlos	07CV01518	21 MC 103
Robles, Bianca	07CV01520	21 MC 103
Saavedra, Donaldo and Isabel Saavedra	07CV01525	21 MC 103
Sanchez, Genaro	07CV01527	21 MC 103
Siguencia, Raul	07CV01533	21 MC 103
Acosta, Byron	07CV01552	21 MC 103
Ali, Enrique	07CV01554	21 MC 103
Alvarracin, Jose	07CV01556	21 MC 103
Astudillo, Wilmer and Maria I. Avila	07CV01561	21 MC 103
Atiencia, Marcelo	07CV01562	21 MC 103
Calle, Wilson	07CV01578	21 MC 103
Chavez, Edison and Martha L. Chavez	07CV01585	21 MC 103
Chuva, Nancy	07CV01589	21 MC 103
Corrales, Elena	07CV01596	21 MC 103
Dota, Clara	07CV01602	21 MC 103
Inga, Jorge	07CV01629	21 MC 103
Llerena, Hilda	07CV01650	21 MC 103
Mazlymian, Juan and Julia Mazlymian	07CV01658	21 MC 103
Mazur, Antoni and Ewa Mazur	07CV01659	21 MC 103
Merchan, Carlos and Martha Merchan	07CV01665	21 MC 103
Palaguachi, Rosa and Rigoberto Quito	07CV01680	21 MC 103
Rudder, Anthony	07CV01698	21 MC 103

Serrano, Alfonso	07CV01703	21 MC 103
Tenezaca, Julia	07CV01714	21 MC 103
Thorpe, Jeanne	07CV01715	21 MC 103
Fernandez, Sandra	07CV02459	21 MC 103
Alloggio, Anthony and Catherine Alloggio	07CV04240	21 MC 103
Brenseke, Richard and Deborah Brenseke	07CV04324	21 MC 103
Comerford, John and Christine Comerford	07CV04351	21 MC 103
Dallas, Kevin and Kathleen Dallas	07CV04354	21 MC 103
Kear, John	07CV04366	21 MC 103
Agudelo, Gladys	07CV04446	21 MC 103
Betancourt, Hector	07CV04453	21 MC 103
Encalada, Cirilo and Melva Encalada	07CV04465	21 MC 103
Gualpa, Rosa	07CV04472	21 MC 103
Hernando, Avenia and Nidia Hernando	07CV04473	21 MC 103
Inga, Luis and Carmen Inga	07CV04474	21 MC 103
Leon, Ines and Luis E. Quezada	07CV04481	21 MC 103
Toledo-Naranjo, Aracely M.	07CV04490	21 MC 103
Mendoza, Gustavo and Hada Mendoza	07CV04494	21 MC 103
Misaico, Ubaldo	07CV04495	21 MC 103
Rojas, Jaime and Johanna Hernandez	07CV04511	21 MC 103
Sarmiento, Edwin and Nora Sarmiento	07CV04515	21 MC 103
Vivar, Luis	07CV04523	21 MC 103
Waniurski, Robert and Ewa Waniurski	07CV04524	21 MC 103
Davis, Pyron and Sherry Davis	07CV05270	21 MC 103
Duchitanga, Manuel and Monica Chillogale	07CV05287	21 MC 103
Pastuizaca, Zoila and Luis F. Pastuizaca	07CV05308	21 MC 103
Cortez, Zoila	07CV05344	21 MC 103
Molloy, Frank	07CV05368	21 MC 103
Saeteros, Milton I.	07CV05383	21 MC 103
Sanchez, Edilberto	07CV05384	21 MC 103
Arrigo, Daniel and Bridget Arrigo	07CV05402	21 MC 103
Fairweather, Robert	07CV05408	21 MC 103
Schuler, Steven and Patricia Schuler	07CV05425	21 MC 103
Segaline, Maria	07CV05426	21 MC 103
Velasquez, Jose	07CV05432	21 MC 103
Wright, Richard A.	07CV05434	21 MC 103
Engelbrecht, Mark and Anne Engelbrecht	07CV08274	21 MC 103
Bastidas, Ramiro and Zoila Bastidas	07CV08278	21 MC 103
Kosiv, Igor	07CV08282	21 MC 103
Perez, Jacqueline	07CV08284	21 MC 103
Purcell, Dan and Corry Beth Purcell	07CV08932	21 MC 103
Auditore, Frank and Michelle Auditore	07CV08974	21 MC 103
Short, James	07CV08997	21 MC 103
Tobin, Brendan and Shiela Tobin	07CV09042	21 MC 103
Azubike, Victor and Tekrisha Azubike	07CV09058	21 MC 103
Quinlan, Scott and Angela DeCarlos	07CV09168	21 MC 103
Baksh, Reyaad and Amy Baksh	07CV09943	21 MC 103
Carlin, Dennis and Rosemary Kindelon-Carlin	07CV09957	21 MC 103
Cochran, Edward and Cecilia Cochran	07CV09961	21 MC 103
Daly, John and Renee Daly	07CV09971	21 MC 103
Fuentes, Lazaro and Wendy DeMarco-Fuentes	07CV10151	21 MC 103
Shields, Steven	07CV10207	21 MC 103
Cuomo, Anthony and Janine Cuomo	07CV10756	21 MC 103
Luster, Edward and Amy Luster	07CV10795	21 MC 103
McBean, Derrick	07CV10808	21 MC 103

Peters, Stephen and Tammy Peters	07CV10820	21 MC 103
Rafaniello, Mark and Olimpia Rafaniello	07CV10823	21 MC 103
Ribeiro, Joseph and Suzanne J. Ribeiro	07CV10918	21 MC 103
Avila, Richard	07CV11018	21 MC 103
Puma, Elsa and Alex Espinoza	07CV11023	21 MC 103
Carroll, Neil	08CV00635	21 MC 103
Cronin, James and Gina-Marie Cronin	08CV00653	21 MC 103
Nauta, Dalia and Luis Nauto	08CV01015	21 MC 103
Moscato, Salvatore and Patricia Moscato	08CV01403	21 MC 103
Palomeque, Henry	08CV02244	21 MC 103
Chirinos, Luis	08CV02260	21 MC 103
Dominguez, Margarita	08CV02265	21 MC 103
Dominguez, Tailor and Juanna Dominguez	08CV02266	21 MC 103
Garcia, Ladislao	08CV02269	21 MC 103
Guiracocha, Cesar	08CV02272	21 MC 103
Guzman, Salma P.	08CV02273	21 MC 103
Hernandez, Jaime	08CV02274	21 MC 103
Lopez, Angel	08CV02281	21 MC 103
Lozano, Henry	08CV02284	21 MC 103
Macias, Pedro and Rosita Cevallos	08CV02286	21 MC 103
Medina, Diego and Melinda Medina	08CV02290	21 MC 103
Mendez, Juan and Karen Mendez	08CV02291	21 MC 103
Orozco, Rafael E.	08CV02299	21 MC 103
Osorio, Alicia	08CV02300	21 MC 103
Saeteros, Blanca and Dario Encalada	08CV02305	21 MC 103
Torres, Aida and Bolivar Torres	08CV02309	21 MC 103
Uzhca, Manuel	08CV02312	21 MC 103
Vasquez, Camilo	08CV02313	21 MC 103
Vivar, Jose	08CV02318	21 MC 103
Zambrana, Ramon	08CV02320	21 MC 103
Dybus, Tomasz and Jolanta Dybus	08CV02322	21 MC 103
McNair, Michael and Mary Anne McNair	08CV02328	21 MC 103
Nevins, Timothy C. and Karen Nevins	08CV02330	21 MC 103
Toledo, Nelson and Miryam Toledo	08CV02332	21 MC 103
Cabrera, Marbin	08CV02581	21 MC 103
Gonzalez, Gisselle	08CV02629	21 MC 103
Trivino, William and Rosa Trivino	08CV02726	21 MC 103
Arias, Gloria	08CV02931	21 MC 103
Drozd, Bogdan and Anna Drozd	08CV04945	21 MC 103
Linea, Carmelo and Janice Linea	08CV04946	21 MC 103
Malvino, Joseph G. and Marilyn Malvino	08CV04947	21 MC 103
Pierrot, Clifford	08CV04948	21 MC 103
Sanchez, George and Jessica Arias	08CV04949	21 MC 103
Stanford, Phillip and Susan Stanford	08CV05157	21 MC 103
Vasquez, Robert and Bernice Vasquez	08CV05852	21 MC 103
Jenkins, Christopher	08CV05931	21 MC 103
Pappalardo, Anthony as Administrator of Philip Pappalardo	08CV06639	21 MC 103
Velasquez, Fredy and Morena Valdez	08CV11141	21 MC 103
Ricciardi, John and Shirley Ricciardi	09CV01545	21 MC 103
Romano, Dennis and Diane Romano	09CV01546	21 MC 103
Jones, James C.	09CV01548	21 MC 103
Garrett, Martin and Diana Martin	09CV02761	21 MC 103
Scott, David and Kim Marie Scott	09CV02815	21 MC 103
Prado, Victor	09CV03459	21 MC 103



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